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RCE/IFW

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<i>Application Number</i>	10/697,127
<i>Filing Date</i>	October 31, 2003
<i>First Named Inventor</i>	Toru ONO
<i>Group Art Unit</i>	2852
<i>Examiner Name</i>	R. Gleitz
<i>Attorney Docket Number</i>	03500.016837.1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. Other _____

b. Enclosed

- i. Preliminary Amendment w/Transmittal
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other _____

3. **Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205

- i. RCE fee required under 37 C.F.R. § 1.17(e)
- ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. Other _____

b. A check in the amount of \$ 770.00 for the filing fee is enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Melody H. Wu	Registration No. (Attorney/Agent)	52,376
Signature		Date	June 15, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	
Signature	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Director of the U.S.P.T.O., P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

03500.016837.1



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: R. Gleitz
Toru ONO)	
	:	Group Art Unit: 2852
Application No.: 10/697,127)	
	:	Confirm: 8460
Filed: October 31, 2003)	
	:	
For: IMAGE FORMING APPARATUS)	
HAVING CHANGE-OVER	:	
TYPE DEVELOPING DEVICE)	June 15, 2004

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Prior to further examination on the merits, Applicant respectfully submits the following amendments and remarks.

In re Application of:

Toru ONO

Application No.: 10/697,127

Docket No. 03500.016837.1



Examiner: R. Gleitz

Filed: October 31, 2003

Group Art Unit: 2852

For: IMAGE FORMING APPARATUS
HAVING CHANGE-OVER
TYPE DEVELOPING DEVICE

Date: June 15, 2004

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith in conjunction with the filing of a Request for Continued Examination is a Preliminary Amendment in the above-identified application.

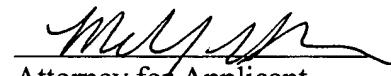
No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	18	MINUS	20	0	x \$9 \$18	\$ 0.00
INDEP. CLAIMS	4	MINUS	4	0	x \$43 \$86	\$ 0.00
Fee for Multiple Dependent claims \$145/\$290						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$ 0.00

- °Verified Statement claiming small entity status is enclosed, if not filed previously.
- An additional claims fee in the amount of \$_____ is included in the combined check in the amount of \$_____.
- Charge \$____ to Deposit Account No. 06-1205. A duplicate of this sheet is enclosed.
- Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.
- A check in the amount of \$____ to cover the fee for a ____ month extension is enclosed.
- A check in the amount of \$____ to cover the Information Disclosure Statement fee is enclosed.
- Applicant's attorney may be reached in Washington, D.C. by telephone at (202) 530-1010. All correspondence should continue to be directed to the address given below.

Respectfully submitted,



Attorney for Applicant
Melody H. Wu
Registration No. 52,376

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